

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM

FILED
PUBLIC UTILITIES COMMISSION
APRIL 22, 2002
SAN FRANCISCO, CALIFORNIA
INVESTIGATION 02-04-026

O P I N I O N

This order opens an investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) that will result from the confirmation of PG&E's Plan of Reorganization or of the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM. We initiate this Order Instituting Investigation (OII) in order to afford parties the opportunity to comment on the Commission's Alternative Plan or Reorganization, PG&E's Plan of Reorganization, and any matters that may need to be decided at this Commission in implementing such plans.

Parties may access the Commission's Alternative Plan of Reorganization on our web site at www.cpuc.ca.gov, Special Announcements,

www.cpuc.ca.gov/static/announcements/index.htm. Parties may access PG&E's Plan of Reorganization at http://www.pge.com/court_docs/. The Commission seeks comments on whether proceedings must be initiated at this Commission in furtherance of the Reorganization Plans. The Commission also asks parties having comments on either or both of the Reorganization Plans to provide any alternatives which they believe would be preferable to the Plans.

Preliminary Scoping Memo

The scope of this proceeding shall include all issues raised in this order, but will not necessarily be limited to these issues. Pursuant to Rule 4(a), the rules and procedures found in Article 2.5 of the Commission's Rules of Practice and Procedure (Rules) shall apply to this proceeding. This investigation is classified as a ratesetting proceeding and the Commission may hold hearings.

We set an initial schedule to obtain parties' input into the Reorganization Plans. Any party that is interested in filing comments on the Reorganization Plans, as described above, shall file and serve comments no later than May 10, 2002. Reply comments shall be filed and served by May 22, 2002. Parties shall specifically comment on whether proceedings must be initiated at this Commission in furtherance of the Reorganization Plans. Parties shall also indicate any alternatives to the Plans which they believe to be preferable.

Any person who objects to the categorization of this investigation must file an appeal no later than 10 days after the date of this OII, pursuant to Rule 6.4(a). This OII shall be served on the parties to Application (A.) 00-11-038 et al. This is the service list that shall be used for service until further notice of the

Commission. Persons who want to become a “party” to this proceeding may do so by filing comments on May 10 or May 22 as discussed above.

Those persons who do not want to be parties, and only want notice of the hearings, rulings, proposed decisions, and decisions may mail a written request to the Process Office requesting that they be added to the service list for information only. This request may also be made by electronic mail to (ALJ_Process@cpuc.ca.gov). Those persons employed by the State of California who are interested in this proceeding may be added to the “state service” section of the service by following the same procedures and request that they be added to the state service list. All of the names appearing on the state service list shall be served with all documents that parties may submit or file in connection with this proceeding. The service list shall be posted on the Commission’s web site, www.cpus.ca.gov, as soon as it is practical.

Any party interested in participating in this investigation who is unfamiliar with the Commission’s procedures should contact the Commission’s Public Advisor Office in Los Angeles at (213) 649-4782, or in San Francisco at (415) 703-2074.

Ex Parte Communications

This proceeding is subject to Rule 7(c) of the Rules. In addition to placing specific requirements on ex parte communications, Rule 7(c) also requires parties to report ex parte communications pursuant to Rule 7.1.

O R D E R

IT IS ORDERED that:

1. Pacific Gas and Electric Company (PG&E) is a respondent to this investigation.
2. Any party that is interested in filing comments on the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E in the United States Bankruptcy Court, Northern District of California, San Francisco Division (In re Pacific Gas and Electric Company, Case No. 01-30923 DM) or PG&E's Plan for Reorganization shall file and serve comments no later than May 10, 2002. Reply comments shall be filed and served by May 22, 2002. Parties shall specifically comment on the Plans, the preferability of any alternatives to the Plans, and state whether proceedings must be initiated at this Commission in furtherance of the Reorganization Plans.
3. Any person who objects to the categorization of this investigation must file an appeal no later than 10 days after the date of this Order Instituting Investigation (OII), pursuant to Rule 6.4(a).
4. The Executive Director shall cause this OII to be served on the respondent and on the service list in Application 00-11-038 et al. This service list shall be the service list for this proceeding until further notice. The official service list for this

proceeding shall be posted on the Commission's web site (www.cpuc.ca.gov) as soon as practical. Parties may also obtain the service list by contacting the Commission's Process Office at (415) 703-2021.

This order is effective today.

Dated April 22, 2002, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
CARL W. WOOD
GEOFFREY F. BROWN
MICHAEL R. PEEVEY
Commissioners